

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: June 10, 2002

Opposition No. 91150270

OLYMPUS OPTICAL CO., LTD.

v.

WRIGHT MEDICAL TECHNOLOGY,
INC.

Nancy L. Omelko, Interlocutory Attorney:

On February 1, 2002,¹ applicant filed a proposed amendment to its application Serial No. 76/191,390, with opposer's consent; and a consented motion to suspend proceedings for thirty days.

Applicant's consented motion to suspend is hereby approved.

By the proposed amendment applicant seeks to change the identification of goods **from** "medical apparatus, namely, orthopedic implants and related surgical instrumentation therefor" **to** "medical apparatus, namely, an orthopedic shoulder implant that fits into and replaces the upper end of the humerus bone; and a sterile instrumentation tray with

¹Applicant also withdrew its prior unconsented motions to amend filed on December 21, 2001 (to which opposer filed an objection) and January 29, 2002. In view thereof, the motions to amend

cover for holding instruments used during implantation of the orthopedic shoulder implant and provided only for use during implantation of the orthopedic shoulder implant."

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(b), and because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a).

If this resolves the dispute herein, opposer is allowed until **thirty days** from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c).